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**REMARKS**

In accordance with the foregoing, Claims 1 and 9 have been amended. Claims 1-9 are pending and under consideration.

With regard to antecedent support, claim 1 now recites that the second transceiver unit is a neighboring transceiver unit to the first transceiver unit. Support for this limitation can be found at page 2, paragraph 9 and at page 6, paragraph 23 in combination with the figure, for example. Claim 1 also recites that the code word is checked at both the second transceiver unit and the further transceiver unit. Antecedent support can be found at page 4, paragraph 13 and 14 of the application, for example. Independent claim 1 further recites that the further transceiver unit has not received a signal from the radio communications system indicating that a handover is to occur. Antecedent support for this limitation can be found at page 6, lines 23 and 24 of the application, for example.

**ENTRY OF AMENDMENT**

The claims filed on March 28, 2005 distinguished over Bodin. The only reason for the Final Office Action is an incorrect understanding of the cited references on the part of the Examiner. The claim amendments being filed herewith contain substantially all of the limitations of the previous claims. The additional limitations would not require further search and/or consideration. Because the claims patentably distinguish over the references without the limitations, it is not essential that the additional limitations be considered in evaluating patentability over the prior art. Therefore, this Amendment After Final should be entered.

In item 2 of the Office Action, the Examiner objects to the term "controller" in claim 9. This term has been eliminated.

In item 4, the Examiner requests that "codeword" be changed to "code word". This change has been made.

In item 5, the Examiner requests that "controller" be added to the drawings for consistency with claim 9. In view of the elimination of "controller," it is believed that no drawing change is required.

In item 7, claims 1, 2, 7 and 9 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,122,512 to Bodin. Claims 3-6 and 8 are separately rejected as being obvious over Bodin in view of U.S. Patent No. 6,647,262 to Demetrescu et al.

Bodin discloses, that a mobile station (MS) is located in cell C1 and is served by a base

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station transceiver (BTS1) (column 5, lines 31 – 33). It appears that the examiner believes the base station transceiver (BTS1) corresponds with the claimed first transceiver unit, which is shown by example only as BT03 in the drawings.

In Bodin, the mobile station informs a base station controller (BSC) of the signal strength of nearby base stations, which are identified to the base station controller by the mobile station. The base station controller (BSC) decides based on the information received, whether a handover is necessary from BST1 to another neighboring base station transceiver. In the example disclosed in Bodin, the base station controller chooses BTS2 (column 6, lines 25 – 35). The Examiner apparently believes that BTS2 of Bodin corresponds with the claimed second transceiver unit, which the drawing shows by example, not limitation, as BTS33.

In Bodin, the BSC orders BTS2 to activate a traffic channel for establishing a traffic connection in order for the handover procedure be performed. The BSC also orders the mobile station (MS) to handover to channels established at BTS2 (column 6, lines 36 - 50). BTS2 receives an access signal from the mobile station (MS) and checks it for correct data pertaining to the handover (column 7, lines 1 - 4).

Bodin, does not disclose, suggest or hint at what occurs at BTS3. Because the BSC is chosen the base station transceiver BTS2 for the handover and notified BTS2, BTS3 is not been made aware that a handover procedure is going to take place. BTS3 has received no order as described in column 6, lines 36 - 40.

Furthermore, both BTS2 and BTS3 (in Bodin) serve neighboring radio cells C2 and C3. To avoid interference, BTS2 and BTS3 will not use the same physical channel. The claims clearly require for the handover signaling message to be sent via a channel that carries signaling messages to request a radio link. Claim 1 further requires that the code word be checked at one of the further transceiver station, which did not receive signaling from the radio communications system. In Bodin, it would be impossible for any of the base stations disclosed therein to have received the handover signaling message.

Physical channels are reused when the cells are located at a certain distance from each other. In this case the same frequency is used in both cells. Neighboring cells do not use the same frequency.

In the case described by Bodin, BTS3 is a neighboring base station transceiver. Therefore it will not use the same frequency as BTS2. Thus, it will not receive the handover signaling message from the mobile station (MS). If the handover signaling message is not received, certainly, BTS3 will not perform any verification of the contents of the transmitted data.

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The further transceiver unit described by example, not limitation in the application is BTS13. It should be clear that BTS13 is not a base station transceiver neighboring cell Z03 or Z33.

As described previously, in GSM systems, the same physical channel (defined by a frequency band and a base station color code) may be used to transmit both the handover signaling message and channel request messages. In these channel request messages, mobile stations request a new radio link to be set up with the radio communications systems. Each channel request message contains an identification word with specific values regarding the connection to be made. However, in systems such as GSM systems, the format and content of both the handover procedure identifier and the identification word are the same. This leads to the problem that a base station that is not part of the handover procedure, but is using the same physical channel (base station BTS 13, for example), will receive the handover signaling message and interpret the handover signaling message as a channel request message. This in turn causes that base station to request a radio channel from the base station controller. The base station controller sets up a new radio channel. Within three seconds of setting up the new radio channel, if the radio communications system does not detect a radio link, the radio channel is released because no mobile station has actually requested the channel.

The three-second time period prevents the radio channel from being tied up for an extended period. However, the communications between the base station and the base station controller also present a problem. Specifically, the request, assign and release procedures overload the base station controller.

Bodin discloses a method for determining the geographical location of a mobile station within a cellular mobile telecommunications system. Bodin does not disclose or suggest sending a handover signaling message that contains a code word identifying a handover procedure, the code word having a value corresponding to a handover code which is reserved for handover procedures.

Referring again to the embodiments disclosed in the specification, the mobile station might move from cell Z03 to cell Z33, from the coverage area of base station BTS03 to the coverage area of base station BTS33. BTS33 is notified by the radio communications system that handover procedure is going to occur. The mobile station is authorized to perform a handover and is assigned to a traffic channel with a particular frequency, which traffic channel is to be used to communicate with BTS33. In the example described in the specification, frequency F1 is used as the traffic channel between the mobile station and BTS33. Frequency F1 is the broadcast frequency assigned to BTS13.

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The mobile station sends a handover signaling message to BTS33. BTS13 also receives the message. In order to avoid BTS13 from interpreting the message as a channel request message, and thereby overloading the communications system, BTS13 determines whether the code word contained in the message matches a reserved code word corresponding to a handover code.

Unlike BTS33, BTS13 has not been notified by the radio communications system that a handover is to occur. When BTS13 checks the code word, BTS13 ascertains that the received message is a handover signaling message and not a channel request message. Accordingly, BTS13 does not request a new channel, and this prevents overloading the communications system. Because BTS33 has been notified that it is the target of the handover, BTS33 performs the normal handover procedure.

Bodin describes a handover between neighboring base station transceivers, but does not disclose anything about a non-neighboring base station transceiver, nor does Bodin suggest or hint at the effects of the signaling sequence (HO\_ACC) on a non-neighboring base station transceiver or to a possible solution to the problems that the signaling sequence cause. Bodin discloses the normal procedure in GSM, whereby the designated handover base station transceiver (BTS2) will check the messages transmitted from the mobile station (MS) to verify that it is the correct mobile station.

Perhaps the Examiner does not correctly understand the reference. On page 13 of the Office Action, the Examiner indicates that the base station sends a handover signaling message that contains a code word identifying a handover procedure, the code word having a value (HO reference value) corresponding to a handover code (HO reference value) which is reserved for the handover procedures.

The Examiner refers to column 6, lines 40 - 46 which states:

Continuing with FIG. 6, the base station controller BSC orders the base station BTS2 to activate a traffic channel with associated control channels for establishing a traffic connection (Channel Activation message). The message includes information as to why the traffic connection is established, in this case handover between non-synchronous radio base stations. The mobile station MS is then ordered to handover to the channels established at the base station BTS2 (Handover Command). The message includes control data (HO reference value).

This passage indicates the mobile station is ordered (presumably via a message from base station BTS2) to handover. The message includes control data (HO reference value). In mentioning the "HO reference value" the reference is referring to a message sent to the mobile station MS, not a message sent from the mobile station MS. Perhaps the Examiner feels this

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